

Economic Impact Statement
(5 MRSA §8052(5-A))

AGENCY: Department of Professional and Financial Regulation, Office of Professional and Occupational Regulation, Maine Fuel Board.

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CHAPTER NUMBER AND RULE TITLE:

- 1.....Definitions.....Repeal and Replace
- 2.....Advisory Rulings..... Repeal and Replace
- 3.....Categories and Responsibilities of Licensure..... Repeal and Replace
- 4.....Qualifications for Licensure..... Repeal and Replace
- 5.....Use of Other License Authorities..... Repeal and Replace
- 6.....Adoption of Standards and Rules.....Repeal and Replace
- 7.....Modification of Standards.....Repeal and Replace
- 8.....Installation of Oil Burning Equipment.....Repeal and Replace
- 9.....Installation of Solid Fuel Burning Equipment.....Repeal and Replace
- 10...Chimneys.....Repeal and Replace
- 11...Installation of Waste Oil Appliances and Waste Oil Supply
Tanks.....Repeal and Replace
- 12...Permits for Aboveground and Underground Propane and Natural
Gas Storage Facilities and Rooftop Installations.....Repeal and Replace
- 13...Installation of Propane and Natural Gas Burning Equipment.....Repeal and Replace

TYPES AND NUMBER OF SMALL BUSINESS SUBJECT TO THE RULE:

The Maine Fuel Board (“the board”) currently licenses individuals in the follow categories:

| <u>Type of License</u> | <u>Number of Current Licenses</u> |
|------------------------|-----------------------------------|
| Apprentice Oil | |
| 1&2 up to 15 GPH | 1059 |
| 1&2 over 15 GPH | 99 |
| 1 – 6 oils | 22 |
| Journeyman Oil | |
| 1&2 up to 15 GPH | 1088 |
| 1&2 over 15 GPH | 39 |
| 1 – 6 oils | 59 |

| <u>Type of License</u> | <u>Number of Current Licenses</u> |
|---|-----------------------------------|
| Master Oil | |
| 1&2 up to 15 GPH | 1774 |
| 1&2 over 15 GPH | 92 |
| 1 – 6 oils | 92 |
| Limited Energy Auditor | |
| Oil | 138 |
| Propane | 98 |
| Limited Oil Tank Installer | 46 |
| Limited Wood Pellet Tech | 31 |
| Propane Appliance Technician | 3615 |
| Propane Delivery technician | 1443 |
| Propane Large Equipment Operator | 990 |
| Propane Plant Operator | 576 |
| Propane Tank and Pipe Setter | 1477 |
| Propane Helper | 244 |
| Propane Dispensing Stations | 484 |

Title 5 MRSA §8052(5-A) defines “small business” as businesses that have 20 or fewer employees. The board does not collect any information that permit it to reliably estimate how many of its licensees are small business as defined in 5 MRSA §8052(5-A). However, the proposed rules would affect current and future licensees and individual dispensing stations.

PROJECTED REPORTING, RECORD-KEEPING AND OTHER ADMINISTRATIVE COSTS REQUIRED FOR COMPLIANCE WITH THE PROPOSED RULE, INCLUDING THE TYPE OF PROFESSIONAL SKILLS NECESSARY FOR PREPARATION OF THE REPORT OR RECORD:

The proposed rule imposes no reporting, record-keeping or other administrative costs different than those already in effect.

PROBABLE IMPACT ON AFFECTED SMALL BUSINESS:

The probable impact of the proposed rule varies. **Chapter 3 – Section 3.7.2.1** would add a cost to the gas company to have a technician take additional time to verify licensure of a dispensing station. **Chapter 3 – Section 3.7.2.3** would add a cost to the gas company to have a technician take additional time to notify tank owners, who are largely the gas companies, of any code violations. These costs would be minimal depending on the effort that is required for the technician to verify licensure or notify code violations. **Chapter 4 – Section 4.11.4** would cost the gas dispensing stations to provide refresher training to its limited operators every two years. Currently the NFPA requires refresher training every three years. The cost would be low. **Chapter 6 – Section 6.1.6** would cost the gas company approximately \$25.00 per year/per system to monitor underground propane tank corrosion protection. **Chapter 8 – Section 8.11.2** would cost the oil company approximately \$10.00 to purchase four flanges to support an oil tank. **Chapter 11 – Sections 11.6.1, 11.6.2.6, 11.6.3, 11.7.1, 11.7.2, and 11.7.3** would add a cost to businesses burning waste oil. The cost would vary depending on the type and quantity of associated equipment. **Chapter 13 – Section 13.3.3** would cost the gas company to conduct a combustion efficiency test on a gas-fired central heating system. **Section 13.4.1** would cost the gas company between \$25.00 and \$200.00 depending on the type of gas burning equipment that is installed. **Section 13.4.2.2** would add a cost to the gas company if gas appliances are not properly vented. If venting is required the cost would depend on the type and number of appliances that need to be properly vented. **Section 13.6.1** would cost the gas company additional time to perform a heat loss system design and system load calculations for new installation of central heating systems.

LESS INTRUSIVE OR LESS COSTLY, REASONABLE ALTERNATIVE METHODS OF ACHIEVING THE PURPOSES OF THE PROPOSED RULE:

Chapter 3 Section 3.7.2.1 – This requirement, required by the board’s laws, 32 M.R.S. Section 18142, serves as a public safety measure to ensure that fuel dispensing stations are properly licensed. **Chapter 3 Section 3.7.2.3** – This requirement reflects the board’s judgment as serving as a public safety measure. This notification provision has been a practice throughout the industry, but is not codified in rule. **Chapter 4 Section 4.11.4** – This requirement reflects the board’s judgment that by having refresher training every two years would coincide with the two year license renewal requirement for the dispensing stations who give the training to limited operators. Synchronizing the refresher training and license renewal cycles would allow gas companies to meet both of these requirements, concurrently. Currently, the NFPA requires, at minimum, refresher training every three years. **Chapter 6 Section 6.1.6** – This requirement reflects a change in NFPA 58 that sets a schedule for monitoring corrosion protection equipment. This schedule coincides with CFR 49 which requires periodic checks for corrosion protection equipment. **Chapter 8 Section 8.11.2** – This requirement is in the former rules which require that inside oil supply tanks resting on unfinished floors are stabilized. The former rules did not have this requirement for tanks resting on finished floors. **Chapter 11 Sections 11.6.1, 11.6.2.6, 11.6.3, 11.7.1, 11.7.2, and 11.7.3** – This requirement reflects the board’s judgment that these requirements pertain to waste oil systems as it does for all other oil burning systems. **Chapter 13 Section 13.3.3**- This requirement reflects the board’s judgment that this requirement is critical to ensure that gas-fired equipment is operating safely and performing according to the

manufacturer's specifications. **Chapter 13 Section 13.4.1** – This requirement reflects the board's judgment that this requirement applies to propane and natural gas installations as it does for all oil and solid fuel installations. **Chapter 13 Section 13.4.2.2** – This requirement reflects the board's judgment that this requirement serves as a critical public safety measure. **Chapter 13 Section 13.6.1**- This requirement reflects the board's judgment that this provision protects the consumer by ensuring the installation is adequately sized and heating efficiently.